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Atty. Dkt. No. 029488-0111

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Bruno DE LIGNIERES
Title: TREATMENT OF MASTALGIA WITH 4-HYDROXY TAMOXIFEN
Appl. No.: 10/734,640
Filing Date: 12/15/2003
Examiner: Unassigned
Art Unit: 1614

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR §1.56.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

RELEVANCE OF EACH DOCUMENT

Any document listed on the attached PTO/SB/08 was cited as being relevant during the prosecution of the corresponding International application. A copy of the International Search Report is attached setting forth the portion of each document considered relevant by the examiner. An English-language counterpart of the foreign-language documents has not been provided. The absence of a translation or an English-language counterpart document does not relieve the PTO from its duty to consider any submitted document (37 CFR §1.98 and MPEP§609).

Applicant respectfully requests that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date June 1, 2005

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Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT Date Submitted: June 2, 2005 <i>(use as many sheets as necessary)</i>		Complete if Known	
		Application Number	10/734,640
		Filing Date	12/15/2003
		First Named Inventor	Bruno DE LIGNIERES
		Group Art Unit	1614
		Examiner Name	Unassigned
		Attorney Docket Number	029488-0111

O I P E
 JUN 02 2005
 PATENT TRADEMARK OFFICE

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	C1	4 919 937		Mauvais-Jarvis et al.	4/24/1990	
	C2	2003/0153543 A1		Masato TANABE et al.	8/14/2003	
	C3	5 189 212		University of Georgia Research Foundation	2/23/1993	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	C4		EP 0 792 640 A2		PFIZER INC.	9/3/1997		
	C5		EP 1 106 179 A2		PFIZER INC.	6/13/2001		
	C6		WO 02/36129 A2		Alfred SCHMIDT et al.	5/10/2002		
	C7		WO 02/03969 A2		HEXAL AG	1/17/2002		
	C8		EP 1 177 787 A2		Pfizer Products Inc.	2/6/2002		

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
	C9	International Search Report of PCT/EP03/15028	
	C10	P MAUVAIS-JARVIS, "Le traitement hormonal des mastopathies benignes", Bull Cancer (1991) 78, 365-371.	
	C11	I.S. FENTIMAN et al., "Dosage and duration of tamoxifen treatment for mastalgia: a controlled trial", Br. J. Surg. 1988, Vol. 75, September, 845-846.	
	C12	Pierre MAUVAIS-JARVIS et al., "trans-4-Hydroxytamoxifen concentration and Metabolism after Local percutaneous Administration to Human Breast", Cancer Research 46, 1521-1525, March 1986.	
	C13	Henri PUIOL et al., "Phase I Study of percutaneous 4-hydroxy-tamoxifen with analyses of 4-hydroxy-tamoxifen concentrations in breast cancer and normal breast tissue", Cancer Chemother Pharmacol., 1995, 36: 493-498.	

Examiner Signature

Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.